

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KENNETH RAY BAKER,

Plaintiff,

v.

MAXEY CERLIANO, GARY WHITE,

Defendants.

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CIVIL ACTION NO. 6:18-CV-00301-TH

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff Kenneth Baker initiated this civil action on June 25, 2018. (Docket No. 1.) The case was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation recommending that the case be dismissed without prejudice for failure to comply with a Court Order and failure to prosecute. (Docket No. 7.) The Report and Recommendation was sent to Plaintiff at his address of record and returned as undeliverable. (Docket No. 8.) Plaintiff has not updated his address with the Court. As a result, Plaintiff has not filed any objections to the Report and Recommendation and the prescribed time period for doing so has passed. Indeed, Plaintiff has not communicated with the Court since July 5, 2018.

Having considered the Report and Recommendation, the Court agrees with the findings and conclusions of the Magistrate Judge. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that the complaint is hereby **DISMISSED WITHOUT PREJUDICE**. It is further **ORDERED** that any motion not previously ruled on is **DENIED**.

SIGNED this the **18** day of **March, 2019**.

A handwritten signature in black ink, reading "Thad Heartfield", written over a horizontal line.

Thad Heartfield

United States District Judge